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**FOR IMMEDIATE RELEASE:** March 18, 2011

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## **Governor Daugaard Issues Veto, Style & Form Recommendation**

**PIERRE, S.D.** – Gov. Dennis Daugaard has vetoed the following bill:

SB57, An Act to revise the investment fee rate for certain employers and to declare an emergency.

In addition, the Governor returned SB202, An Act to revise the State Workers' Compensation Advisory Council, as a Style and Form recommendation to the Legislature.

Lawmakers meet March 28 for the final day of the 2011 legislative session.

For more information about these and other bills, please visit [www.legis.state.sd.us](http://www.legis.state.sd.us)

-30-

**Note: Copies of Governor Daugaard's veto and Style and Form recommendation follow:**

March 17, 2011

The Honorable Matt Michels  
President of the Senate  
500 East Capitol Avenue  
Pierre, SD 57501-5070

Dear Mr. President and Members of the Senate:

I respectfully return to you Senate Bill 57 with my VETO.

Senate Bill 57 is entitled, "An Act to revise the investment fee rate for certain employers and to declare an emergency."

Senate Bill 57 must be vetoed due to a technical flaw. The third page of Senate Bill 57 provides for two different investment fee rate schedules. As the bill is written, the first investment fee rate would apply "From January 1, 2010, to December 31, 2011, inclusive." The second would apply "Beginning January 1, 2011." The first fee rate schedule should have been applied until "December 31, 2010," rather than "December 31, 2011." The effect of this error would be that

the statute would apply two contradictory fee rate schedules for 2011.

When this error was discovered, immediate action was taken to rectify the problem. Senate Bill 86, which had been deferred to the 41st legislative day, was reconsidered and amended to mirror Senate Bill 57, correcting this technical error. Senate Bill 86 correctly states that the first investment fee rate ends December 31, 2010, rather than December 31, 2011. The second investment fee rate correctly begins January 1, 2011, and will be continuous.

Because Senate Bill 86 has passed, Senate Bill 57 is no longer necessary. I respectfully ask you sustain my veto.

Respectfully submitted,

Dennis Dugaard

**-30-**

March 17, 2011

The Honorable Matt Michels  
President of the Senate  
500 East Capitol Avenue  
Pierre, SD 57501-5070

Dear Mr. President and Members of the Senate:

I herewith return Senate Bill 202 with the following recommendations as to STYLE and FORM. Senate Bill 202 is An Act to revise the State Workers' Compensation Advisory Council.

The bill authorizes the appointment of nine members to the council. For clarity, the sentence on page 1, beginning on line 11 and ending on line 12, should be changed to read as follows: The Governor shall also appoint the chair, who shall sit as the ninth member, and who has the right to vote.

I respectfully request that you concur with my recommendation as to style and form.

Respectfully submitted,

Dennis Dugaard

cc: The Honorable Val Rausch, Speaker of the House  
The Honorable Jason Gant, Secretary